

DEPARTMENT OF THE TREASURY — BUREAU OF ALCOHOL, TOBACCO AND FIREARMS

APPLICATION FOR BASIC PERMIT UNDER FEDERAL ALCOHOL ADMINISTRATION ACT*(File in triplicate with supporting information required by the instructions on the reverse side)*TO: REGIONAL REGULATORY ADMINISTRATOR, BUREAU OF ALCOHOL, TOBACCO AND FIREARMS *(Address of Regional Office)*

APPLICANT'S NAME (If an individual owner, give full name — first and last names and middle initial; if a partnership, give full names of each partner interested in the operation; if a corporation, give the name of the corporation)

ADDRESS OF PRINCIPAL OFFICE *(Number, street, city, county, state, zip code)*ADDRESS OF PLACE OF BUSINESS COVERED BY THIS APPLICATION
(Number, street, city, county, state, zip code)

TRADE NAME(S) OR STYLE(S)

TYPE OF BUSINESS TO BE ENGAGED IN AT ABOVE LOCATION

DISTILLING DISTILLED SPIRITS (NON-INDUSTRIAL USE)

WAREHOUSING AND BOTTLING DISTILLED SPIRITS
(NON-INDUSTRIAL USE)RECTIFYING DISTILLED SPIRITS AND WINE
(NON-INDUSTRIAL USE)

PRODUCING AND BLENDING WINE

BLENDING WINE

AND IN SELLING OR SHIPPING, IN INTERSTATE OR FOREIGN
COMMERCE, SUCH DISTILLED SPIRITS OR WINE

The applicant agrees that he will operate in conformity with the Federal Alcohol Administration Act and amendments thereto; the Twenty-first Amendment and laws relating to the enforcement thereof; with all other laws of the United States relating to distilled spirits, wine and malt beverages, including taxes with respect thereto; and all applicable regulations made pursuant to law which are now, or may hereafter be, in force. All data, written statements, affidavits, evidence, or other documents submitted in support hereof, or upon hearing hereon, shall be deemed to be a part of this application.

UNDER THE PENALTIES OF PERJURY, I DECLARE THAT I HAVE EXAMINED THIS APPLICATION AND, TO THE BEST OF MY KNOWLEDGE AND BELIEF, IT IS TRUE, CORRECT, AND COMPLETE.

INDIVIDUAL APPLICANT

SIGNATURE

DATE

CORPORATION OR PARTNERSHIP

NAME OF APPLICANT

SIGNATURE OF INDIVIDUAL AUTHORIZED TO
EXECUTE APPLICATION ON BEHALF OF APPLICANT

DATE

IF APPLICANT IS A CORPORATION, ALSO IMPRESS CORPORATE SEAL**PRIVACY ACT INFORMATION**

The following information is provided pursuant to Section 3 of the Privacy Act of 1974 (5 U.S.C. 552a(e)(3)):

- 1. AUTHORITY.** Solicitation of this information is made pursuant to 27 U.S.C. 204 (c). Disclosure of this information by the applicant is mandatory if the applicant wishes to obtain a basic permit under the Federal Alcohol Administration Act.
- 2. PURPOSE.** To identify the applicant; to identify the location of the premises; and to determine the eligibility of the applicant to obtain a basic permit.
- 3. ROUTINE USES.** The information will be used by ATF to make determinations set forth in para. 2. In addition, information may be disclosed to other Federal, State, foreign and local law enforcement and regulatory agency personnel to verify information on the application and to aid in the performance of their duties unless such disclosure is prohibited by law. The information may further be disclosed to the Justice Department if it appears that the furnishing of false information may constitute a violation of Federal law. Finally, the information may be disclosed to members of the public in order to verify information on the application where such disclosure is not prohibited by law.
- 4. EFFECTS OF NOT SUPPLYING INFORMATION REQUESTED.** Failure to supply complete information will delay processing and may cause denial of the application.

PAPERWORK REDUCTION ACT NOTICE

This request is in accordance with section 3507, Public Law 96-511, December 11, 1980.

The information collection is used to determine the eligibility of the applicant to engage in certain operations, to determine location and extent of operations, and to determine whether the operations will be in conformity with Federal laws and regulations. The information requested is required to obtain a benefit and is mandatory by statute (27 USC 204(c) and 203).

INSTRUCTIONS

In the case of a Distilled Spirits Plant, three copies of Form 1637, "Application for Basic Permit under the Federal Alcohol Administration Act", must be prepared and filed with the Regional Regulatory Administrator, Bureau of Alcohol, Tobacco and Firearms, for the region in which the distilled spirits plant is located. If more than one distilled spirits plant is to be operated by the applicant within a region, a separate application must be filed for each such plant. If the proprietor of a distilled spirits plant also proposes to engage in the business of importing distilled spirits or of purchasing distilled spirits for resale at wholesale, a separate application for an importer's or wholesaler's basic permit must be filed on Form 5170.4. Similarly, if the proprietor of such distilled spirits plant proposes to operate a bonded wine cellar on premises contiguous to his distilled spirits plant, a separate application on Form 1637 must be filed.

In the case of a distilled spirits plant, only one application in triplicate will be filed and only one basic permit will be issued to cover all of the operations (distilling, warehousing and bottling, or rectifying) referred to in the notice (Form 5110.41) filed as provided in 26 U.S.C. §5171(c).

In the case of a Bonded Wine Cellar, three copies of Form 1637, "Application for Basic Permit under the Federal Alcohol Administration Act", must be prepared and filed with the Regional Regulatory Administrator, Bureau of Alcohol, Tobacco and Firearms, for the region in which the bonded wine cellar is located. If more than one bonded wine cellar is to be operated by the applicant within one region, a separate application must be filed for each.

Each application must be accompanied by a supporting statement, in triplicate, executed under penalties of perjury that the statement has been examined by the applicant and to the best of his knowledge and belief, is a true, correct and complete statement embodying the information requested below; except that the applicant may omit any information requested which has been submitted in connection with the applicant's notice relating to the same plant or premises filed with the same Regional Regulatory Administrator, Bureau of Alcohol, Tobacco and Firearms, pursuant to the provisions of Title 26 of the United States Code, if such information is current and correct and the relevant documents are identified.

Where the applicant files application for more than one basic permit in the same region at the same time, three copies of the complete supporting statement will be filed with one application and a brief form of supporting statement (adopting the applicable portions of the complete supporting statement and including further facts concerning the particular operations for which the application is filed) will be submitted with each of the applications for the other basic permits.

In the case of all applications for basic permits, the application must be filed by the individual, partnership, joint stock company, business trust, association, corporation, or other form of business enterprise, receiver, trustee, or liquidating agent, which will actually operate the distilled spirits plant or bonded wine cellar, as the case may be.

Applications may not be filed by parent corporations covering operations proposed to be conducted by affiliates. A separate application must be filed by each affiliate desiring to engage in operations requiring a basic permit.

1. NAME AND ADDRESS OF PRINCIPAL OFFICE OF APPLICANT, ETC.

The applicant should —

(a) Give address of distilled spirits plant or bonded wine cellar, as the case may be, it different from address of the principal office.

(b) State whether the place of business covered by the application is owned or leased by the applicant. If leased, give the date of the lease, the duration thereof, the name and address of the owner, and the amount of monthly or annual rental.

(c) State whether applicant is an individual, partnership, or corporation. If a partnership, state the names and addresses of all partners, whether active or inactive, silent or limited. State all trade names or styles to be employed in the operation of the business covered by this application. If State law requires registration of trade name, appropriate proof of compliance with such law must accompany application. If State law does not require registration of trade name, a statement to that effect must be submitted in triplicate. In the case of a distilled spirits plant, state the trade names to be used for distilling and for bottling. If a corporation, state the date of incorporation, the State in which incorporated, the amount of authorized capital, the amount of paid-in capital, the names and addresses of the officers and directors, and the names and addresses of all stockholders who hold 10 percent or more of the capital stock, as well as the names and addresses of all beneficial owners of such stock, including the number of shares held by or for each.

(d) State the source of the funds invested in the business, the names and addresses of all persons who hold, or who are expected to hold, a financial interest (10 percent or more) in the enterprise, and the amount of their interest; and state the names and addresses of all persons other than those covered by paragraph (c) above who have advanced by loan, or otherwise, 10 percent or more of the capital invested in the business.

(e) State whether the business is a new enterprise or whether acquired from the holder of a basic permit under the Federal Alcohol Administration Act. If acquired from a permit holder, furnish the date of acquisition, the name and address of such permit holder, the type, and the number of his permit, if available.

(f) State the time when operations covered by this application will begin.

(g) State applicant's date of birth, where born, full given name at birth, and residence for the five-year period prior to the filing of the application. The same information should be furnished as to each partner, or as to each officer, director, firm member, or holder of 10 percent or more of the capital stock of a corporation and the beneficial owner or owners of such stock.

(h) State whether the operations proposed to be conducted are permitted under the laws of the State in which they are to be conducted.

2. BUSINESS HISTORY

The applicant should —

(a) State whether he, any partner, or any officer, director or holder of 10 percent or more of the capital stock, and any beneficial owner of such stock, or firm member ever applied for, held, or was connected with a Federal or State permit or license to manufacture, distribute, sell or use alcohol or products containing alcohol, whether or not for beverage use, or was employed by, or held any financial interest in any business covered by any such permit or license; if so, give the number and classification of such permit, the period of operation thereunder, and state in detail whether such permit was ever suspended, revoked, annulled or otherwise terminated.

(b) State whether he, or any partner, or any officer, director, holder of 10 percent or more of the capital stock, and any beneficial owner of such stock, or member of the firm has (1) ever been convicted of a felony or misdemeanor

under Federal or State law, or (2) ever been arrested or charged with any violation of State or Federal law, or (3) has a reputation as a law violator. (Convictions or arrests or charges for traffic violations need not be reported, except in the case of a felony conviction.)

(c) State in detail his business experience as well as that of each partner, officer, director, or holder of 10 percent or more of the capital stock, and any beneficial owner of such stock, or member of his firm, which relates to the manufacture, distribution, or sale of alcohol or products containing alcohol, whether or not for beverage use.

(d) Furnish the names and addresses of at least five business references, including one bank reference, and briefly state the nature and extent of business relations with each; also state whether the applicant is rated by any commercial agency, and if so, give the name of such agency and the details of the rating.

(e) State whether applicant, either directly or through affiliates, owns or controls by stock ownership or otherwise, any plant, other than the proposed plant covered by this application, for the production, rectification, warehousing, or bottling of distilled spirits, and if so, give the location of each such plant, the date of acquisition, and the names and addresses of the operating affiliates, if any.

(f) State whether applicant, either directly or indirectly, has actual or legal control over any other corporation, or is actually or legally controlled by any other corporation, whether such control is effected through stock ownership or in any other manner; and if so, state the extent and manner of such control, the name and address of such corporation, or corporations, and the names and addresses of the officers and directors of each such corporation.

(g) State whether applicant, or any of its officers, directors, holders of 10 percent or more of the capital stock, and any beneficial owners of such stock, or any other person holding, or expected to hold, a financial interest amounting to 10 percent or more in the enterprise, holds any interest in any premise on which distilled spirits, wine, or malt beverages are sold at retail, or in the equipment or fixtures on such premises, or in any licenses with respect to such premises. If so, give particulars, including date such interest was acquired.

3. STATE AND FEDERAL LAWS

The applicant should —

(a) Furnish the number(s) of current license(s), and privileges authorized therein, issued to him by the State in which the place of business is located. State whether such license(s) covers the sale of any one, two or all of the following liquors: distilled spirits, wine or malt beverages.

(b) State whether he has procured from the district director of internal revenue current special (occupational) tax stamps, and furnish the kind and DLN (document locator number) of such stamps.

4. POWERS

If the applicant is a corporation, one copy of the articles of incorporation should be filed with the application, together with one certified copy of the bylaws or resolutions of the board of directors authorizing an officer or officers to execute the application for the corporation.